

Special Called Meeting of the City of Sandy Springs Board of Ethics Meeting held on August 14, 2008 at 9:00 AM

Call to Order

Chairman Maddrey called the meeting to order at 9:05 a.m.

Swearing in of alternate board member Kirk Childs

City Clerk Rowland administered the Oath of Office to Mr. Childs.

Board Members Present: Charles Maddrey, Jim Langlais, Glenn Moffett, Nancy McCord, Andrew Heyward, Dick Isenberg and Kirk Childs.

Staff Present: City Attorney Wendell Willard, Assistant City Attorney Kathy Williams and City Clerk Christina Rowland

Approval of Agenda

City Clerk Rowland requested that the July 9, 2008 meeting minutes be removed from the agenda.

Ms. McCord moved to remove the July 9, 2008 minutes from the agenda. Mr. Moffett seconded the motion. The motion carried unanimously.

Mr. Moffett moved to approve the meeting agenda as amended. Mr. Isenberg seconded the motion. The motion carried unanimously.

Approval of Minutes of July 9, 2008 Special Board Meeting *(Removed by Motion and Vote)*

Committee Reports

Education Committee

Ms. McCord stated that she had not received an update from Mr. Haley at this time. Chairman Maddrey stated that the City Manager should be kept in the loop on all correspondence.

Chairman Maddrey questioned if the attorney's office had reviewed the information for the employee handbook. City Attorney Willard stated that they had.

Recommendations for changes to the Ordinance & Bylaws

Mr. Langlais stated that he incorporated the City Attorney's changes. Chairman Maddrey questioned if there was a statement in the Ordinance that the Sandy Springs Code of Ordinance supersedes any other codes of conduct any department might have. He stated that this is to include CH2M Hill, the police department and the fire department. He stated that this code supersedes any other codes.

Mr. Langlais stated that there is a section that states that regardless of other ethics codes, this code still applies. Mr. Moffett stated that it is implied. Mr. Willard stated that there could be a statement that this Ordinance has the highest standing over any policy or orders within the departments. City Attorney Willard stated that language is being placed in the employee handbook regarding the acceptance of gifts of a nominal value up to \$25.00.

Chairman Maddrey stated that he feels this Ordinance should have a higher priority than any other policy in the city. He stated that this should be made clear in the Ordinance.

Motion and Second: Mr. Moffett moved that a sub-committee be appointed to determine the appropriate language in this regard. Mr. Langlais seconded the motion.

Chairman Maddrey stated that he would like to get this worked out today so that this can go to Council on September 9, 2008.

Vote: The motion carried unanimously. Chairman Maddrey stated that the committee will be the board, alternates and the City Attorney.

The subcommittee recommended and the Board approved language in the Ordinance that this code of ethics shall be considered the supreme code of conduct, superseding all other policies or codes of conduct applicable to public servants.

Chairman Maddrey stated that there is a provision that the Board is to appoint a chairman. He questioned if the Board should not also elect a vice chairman. There was a consensus that this be added.

Chairman Maddrey stated that he did not see anything regarding the terms for the alternates. He requested that this be amended. Mr. Langlais stated that he did not want to put term limits on alternates because they will be in line to take the position of a board member. Mr. Langlais stated that an alternate could serve two terms and then become a board member. Agreement was reached to limit the terms of office of board members and alternates to 3 years per term and no more than 2 consecutive terms.

Chairman Maddrey questioned if alternate should be in the list of definitions. Mr. Langlais stated that he did not believe so.

Chairman Maddrey stated that the Bylaws stated that in the event of a resignation, the Chair should report to the Council. He suggested that the Chair report to the Mayor. Agreement was reached to have the Ordinance read that notice be sent to the Mayor and to the City Council.

Mr. Langlais stated that he had amended the language relating to the reporting of a violation to the City Clerk or City Attorney and included the Mayor. The City Clerk will forward a copy of the complaint to the Mayor and Council as well.

Chairman Maddrey questioned why language was included regarding a licensed attorney licensed in the State of Georgia was added. Mr. Langlais explained that someone should be licensed to represent another. It was decided that this should read "Respondent may be represented by legal counsel, licensed by the State of Georgia, of his/her own choosing."

City Attorney Willard expressed concerns regarding the definition of "benefit". He stated that there are provisions in the employee handbook about gifts. He does not want them to conflict. He stated that the dollar amount in the handbook is \$25.00 and excludes food and beverage of a nominal value. Chairman Maddrey suggested the Ordinance read "not more than \$100.00." Discussion followed regarding how to include language regarding food and beverage.

Mr. Moffett questioned what information the Board might have that should be turned over to the Respondent. City Attorney Willard stated that it might be information presented as a part of the complaint.

Chairman Maddrey recessed the meeting at 9:38 a.m.

Chairman Maddrey reconvened the meeting at 9:56 a.m.

Old Business

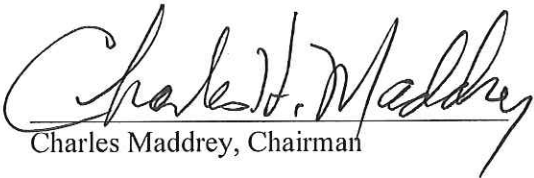
Wiley Complaint

A motion was made and seconded that Vice Chairman Moffett would be the hearing officer for the Wiley hearing.

Chairman Maddrey stated that he would like to make a statement regarding this complaint. City Attorney Willard stated that since the hearing has been set, no discussion should be held regarding this matter until the hearing because the Respondent is not present.

Adjournment

Mr. Isenberg moved to adjourn the meetings. Mr. Langlais seconded the motion. The motion carried unanimously. The meeting adjourned at 9:58 a.m.


Charles Maddrey, Chairman


Michael D. Casey, Interim City Clerk